

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VALENE REED, individually and on behalf of all others similarly situated,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
CONTINENTAL GUEST SERVICES CORPORATION,	)	Civil Action No. 10-cv-5642 (DLC)
	)	
Defendant.	)	
	)	

Filed Electronically

**DECLARATION OF R. BRUCE CARLSON IN  
SUPPORT OF FINAL APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT**

1. I am a founding partner of Carlson Lynch, Ltd ("Carlson Lynch").
2. Carlson Lynch represents Plaintiff in this action.
3. I am personally familiar with the investigation, litigation and proposed settlement of this putative class action.
4. Notice to the proposed Class was published consistent with the terms of the Court's Preliminary Approval Order as follows: Summary Notice was published in the national edition of the USA Today on August 1, 2011. Summary Notice was also published in the International Herald Tribune on August 1, 2011.<sup>1</sup> Full Notice of the Settlement was posted on Class Counsels' website commencing on or before August 1, 2011, and remains posted on the website. In addition, Defendant provided notice of the litigation and settlement to the Attorneys General of New York, Pennsylvania and the United States, as contemplated by Section 1715 of the Class Action Fairness Act of 2005.<sup>2</sup>

<sup>1</sup> See Affidavits of Publication attached to this Declaration as Exhibit A.

<sup>2</sup> See Cover letters attached to this Declaration as Exhibit B.

5. The Notice apprised potential Class Members of the terms of the proposed settlement, directed them to Class Counsel's website where they could review the Full Notice and submit a claim ([www.carlsonlynch.com](http://www.carlsonlynch.com)), provided Class Counsel's toll free telephone number in the event that they had any questions about the proposed settlement and instructed them regarding what to do if they elected to object to the proposed settlement, or wanted to exclude themselves from the proposed settlement, among other things.

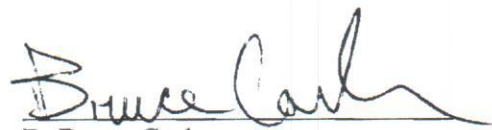
6. The deadline for objections to the proposed settlement or requests for exclusion from the proposed settlement was September 19, 2011.

7. As of the filing of this motion, there have been no objections to the proposed Settlement.

8. As of the filing of this motion, there have been no requests for exclusion from the Settlement.

Under penalty of perjury, I declare that the above statements are true and correct.

Executed at Sewickley, Pennsylvania November 7, 2011.

  
R. Bruce Carlson

# **EXHIBIT A**



7950 Jones Branch Drive • McLean, Virginia 22108  
(703) 854-3400




### VERIFICATION OF PUBLICATION

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

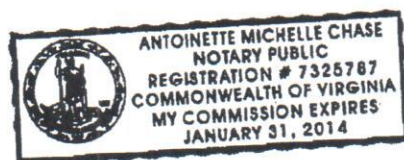
---

Being duly sworn, Oxana Harris says that she is the principal clerk of USA TODAY, and is duly authorized by USA TODAY to make this affidavit, and is fully acquainted with the facts stated herein: on Monday August 1, 2011 the following legal advertisement – IN RE: REED V. CONTINENTAL GUEST SERVICES CORPORATION – was published in the national edition of USA TODAY.

  
\_\_\_\_\_  
Principal Clerk of USA TODAY  
August 1, 2011

This 1st day of August month  
2011 year.

  
Notary Public





WISC. says it will make up its own mind. "We are an advocacy group affiliated with the Tea Party. Democrats and Republicans are essentially negotiating

heavily. The Republican Party is now experiencing something akin to a political civil war within its own ranks," Jacobs says. "There's clearly



# LEGAL MONDAY

www.usatoday.com/legalmonday

Hours of operation: Mon-Fri, 8:30 am-7:00 pm (EST)

To advertise call 1-800-872-3433 Toll-free in the U.S. only

A GANNETT COMPANY

U.S. DISTRICT COURT—(ILLINOIS)  
IN RE: FREED V. CONTINENTAL GUEST SERVICES CORPORATION  
CASE NO. 11-CV-00442

## Summary Notice of Certified Class Action Settlement

### YOU MAY BE A CLASS MEMBER

If you used a credit or debit card and were issued an electronically printed receipt by Continental Guest Services Corporation ("CGS") in New York City for hotel, casino, gaming or other gaming services between June 3, 2009 and July 15, 2011, YOU MAY BE ELIGIBLE TO RECEIVE A SETTLEMENT VOUCHER. To test form below. If you qualify, you may want to fill out the form to get benefits. If you can exclude yourself from the settlement, or object to it.

### WHO'S INCLUDED?

If you believe you are a member of the class, you may view the Full Notice of Settlement and the Full Notice of Settlement Information regarding rights and deadlines for Class Members to participate in the settlement, to request exclusion from the settlement, or to object to the settlement. You may also request a Notice and Class Form by calling Class Counsel at 1-800-467-4241.

### WHAT'S THIS ABOUT?

The Class Action lawsuit alleges that CGS violated certain requirements imposed by the Fair and Accurate Credit Transactions Act ("FACTA"). Specifically, the lawsuit claims that CGS placed the expiration date of its customers' credit or debit cards on printed CGS receipts (or similar receipts), EXCLUDED FROM THE CLASS. ANY PERSON WHO HAS A REASONABLE CERTAINTY THAT HE OR SHE HAS SUSTAINED REPUTATIONAL DAMAGES AS A RESULT OF THE ISSUES IN DISPUTE IN THIS LITIGATION.

### WHAT DOES THE SETTLEMENT PROVIDE?

Each class member will be entitled to receive a Settlement Voucher for the following: (1) a Disney Vacation Package (which may be \$15-\$17,000); (2) a deposit of \$10 from any future travel expenses through CGS; (3) a \$100 credit from any future travel expenses through CGS; and (4) a deposit of \$1.25 from any standard transportation services issued by CGS until \$40. You are entitled to any or all of the features set forth above.

### HOW DO YOU ASK FOR A VOUCHER?

If you would like to participate in the settlement and receive one of the Settlement Vouchers described above, download the form from the following website: [www.classcounsel.com](http://www.classcounsel.com) and mail the form to Class Counsel at the address indicated on the form.

### WHAT ARE YOUR OTHER OPTIONS?

If you do not want to be legally bound by the settlement, you must exclude yourself by September 18, 2011, or you won't be able to sue, or continue to sue, CGS about the legal claims in this case. If you exclude yourself, you can't get a Settlement Voucher from the settlement. If you stay in the settlement, you may object to it by September 18, 2011.

The Court will hold a hearing in this case on November 14, 2011 at 10:00 a.m. to consider whether to approve the settlement and a request by the lawyers representing all Class Members for attorneys' fees and costs. This notice is not to be construed as an expression of any opinion by the District Court with respect to the merits of the respective claims or defenses of the parties.

s/ The Honorable Denise Cole  
United States District Court Judge

IF YOU HAVE ANY QUESTIONS OR CONCERNS, VISIT THE WEBSITE AT [www.classcounsel.com](http://www.classcounsel.com) OR CONTACT CLASS COUNSEL AT 1-800-467-4241 OR [info@classcounsel.com](mailto:info@classcounsel.com)

**Announcement of Successor for a Missing Person or Heir**  
(Articles 26 and 585 of the Swiss Civil Code)  
Attorney Andreas Pozzi, Via Pricca 12, PO Box 6282/1601, Lugano, Switzerland, executor of the succession of the deceased Silvia Denzberg, appointed by District Judge Claude Geronzi Minnen with her ruling of 22 June 2011 based on Article 41, paragraph 2 and Article 87, paragraph 1 of the Swiss Federal Code on International Private Law, and on Articles 585 and 35 of sequel of the Swiss Civil Code.  
**Advice:**  
anyone who can provide information about or who may be an heir of Willy Carl Brönich, son of Carl Christian and Elise, nee Küst, born in Gessens on 27 March 1890, originally from Biele (24), last address unknown; to communicate such information to the undersigned attorney within one year, with the caveat that if such period passes without result, the missing person will be presumed dead pursuant to Article 34 of the Civil Code and his estate will be distributed only to his verified heirs, reserving the right to file a petition claiming the right of an heir.  
Lugano, 20 July 2011  
Andreas Pozzi, Esq.

For more  
information on how to  
place your  
advertisement in  
Legal Monday,  
contact a  
sales representative at  
1-800-872-3433



INTERNATIONAL  
**Herald Tribune**  
PUBLISHED BY THE NEW YORK TIMES

620 Eighth Avenue, New York, NY 10018 USA  
Tel: (212) 556-7723 Fax: (212) 556-7706

**DECLARATION OF PUBLICATION**

**Continental Guest Services**

The undersigned says:

I am over the age of 18 years and a citizen of the United States.  
I am not a party to and have no interest in this matter. I am a principal  
of the International Herald Tribune, a newspaper published in Paris,  
France and circulated in major cities in Europe, North Africa, the Middle  
East, Far East and the Americas. The notice, a true copy of which is attached,  
was published on the following date(s):

August 1, 2011

I declare under penalty that the forgoing is true and correct.

Executed in New York, N.Y. on August 3, 2011

  
\_\_\_\_\_  
Judith King

Sworn before me on this 3<sup>rd</sup> day of August 2011 in the state of New York.

  
\_\_\_\_\_  
Notary Public

DEBORAH BESHAW  
Notary Public, State of New York  
No. 01BE5076617  
Qualified in Kings County  
Certificate on file in New York County  
Commission Expires April 21, 2015

THE WORLD'S DAILY NEWSPAPER



John A. Boehner said he was not an agreement would be reached.

is more accurate because it re-  
what happens when prices rise,  
for the elderly say the propo-  
backdoor way of cutting benefits.  
bers of both parties took the floor  
for compromise, noting that the  
the two sides are apart on many  
of their deficit-reduction plans.  
are should not be an option for  
us case, and it's time we started

agency plans for managing the financial  
consequences of "Congressional" inac-  
tion. "No one will be pleased," said one  
adviser, who spoke on the condition of  
anonymity.

The Treasury Department calculates  
that the government will exhaust its  
ability to borrow money at the end of  
Tuesday and will be forced to pay its bills  
from a dwindling pile of cash. Independent  
analysts estimate the government  
has enough money on hand to cover all  
of its bills for another week, more or less,  
before it starts missing payments.

Mr. Obama has repeatedly called on  
Congress to raise the borrowing limit  
known as the debt ceiling by Tuesday to  
avoid any uncertainty about the govern-  
ment's ability to meet its obligations.

#### Replica Wright Brothers plane crashes, killing 2 test pilots

A newly produced replica of a Wright  
Brothers biplane has crashed in the  
midst of its flight testing, killing the  
two volunteer pilots aboard.

The pilots, Mitchell Garry, 65, and Don  
Gum, 73, had extensive experience fly-  
ing the biplane, built by a company that  
uses the planes to promote public  
awareness of Dayton, Ohio, as the  
birthplace of aviation.

The plane, named Silver Bird, was  
built to modern standards and ap-  
proved for its test flight program by the  
Federal Aviation Administration. Paul  
Bealuddin, the president of the plane's  
manufacturer, Wright "B" Flyer Inc.,  
said in a statement Saturday. (AP)

#### U.S. DISTRICT COURT—(S.D.N.Y.)

IN RE: REED V. CONTINENTAL GUEST SERVICES CORPORATION, CASE NO. 10-CV-5642

### SUMMARY NOTICE OF CERTIFIED CLASS ACTION SETTLEMENT

#### YOU MAY BE A CLASS MEMBER

If you used a credit or debit card and were issued an electronically printed receipt by Continental Guest Services Corporation ("CGS") in New York City for theater tickets, sightseeing or other concierge services between June 3, 2008 and July 15, 2011, you may be eligible to receive a SETTLEMENT VOUCHER, as set forth below. If you qualify, you may send in a claim form to get benefits, or you can exclude yourself from the settlement, or object to it.

#### WHO'S INCLUDED?

If you believe you are a member of the class, you may view the Full Notice posted at [www.carlsonlyrich.com](http://www.carlsonlyrich.com). The Full Notice contains important information regarding rights and describes how Class Members to participate in the settlement, to request exclusion from the settlement, or to object to the settlement. You may also request a Notice and Claim Form by calling Class Counsel at 1-800-467-5241.

#### WHAT IS THIS ABOUT?

The class action lawsuit alleges that CGS violated certain requirements imposed by the Fair and Accurate Credit Transactions Act ("FACTA"). Specifically, plaintiff claims that CGS printed the expiration date of its customers' credit or debit cards on receipts. CGS denies any liability or wrongdoing. EXCLUDED FROM THE CLASS ARE ANY PERSONS WHO HAVE SUFFERED IDENTITY THEFT OR SUSTAINED MONETARY DAMAGES AS A RESULT OF THE ISSUES IN DISPUTE IN THIS LITIGATION.

#### WHAT DOES THE SETTLEMENT PROVIDE?

Each class member will be entitled to receive a Settlement Voucher good for the following: 1) a Disney Lion King show poster (retail value \$15-\$17 dollars); 2) a discount of \$10 from any theatre ticket purchased through CGS; 3) a \$3.25 discount from any sightseeing service offered by CGS; and 4) a discount of \$1.25 from any standard transportation service offered by CGS under \$40, and a discount of \$3.00 from any standard transportation service offered by CGS over \$40. You are entitled to any or all of the options set forth above.

#### HOW DO YOU ASK FOR A VOUCHER?

If you would like to participate in the settlement and receive one of the Settlement Vouchers described above, download the form from the following website: [www.carlsonlyrich.com](http://www.carlsonlyrich.com) and mail the form to Class Counsel at the address indicated on the form.

#### WHAT ARE YOUR OTHER OPTIONS?

If you do not want to be legally bound by the settlement, you must exclude yourself by September 18, 2011, or you won't be able to sue, or continue to sue, CGS about the legal claims in this case. If you exclude yourself, you can't get a Settlement Voucher from this settlement. If you stay in the settlement, you may object to it by September 19, 2011.

The Court will hold a hearing in this case on November 14, 2011 at 10:00 a.m., to consider whether to approve the settlement and a request by the lawyers representing all Class Members for attorneys' fees and costs. This notice is not to be construed as an expression of any opinion by the District Court with respect to the merits of the respective claims or defenses of the parties.

/s/ The Honorable Denise Cole, United States District Court Judge

IF YOU HAVE ANY QUESTIONS OR CONCERNS, VISIT THE WEBSITE AT [www.carlsonlyrich.com](http://www.carlsonlyrich.com) OR CONTACT CLASS COUNSEL AT 1-800-467-5241 OR [bcarlson@carlsonlyrich.com](mailto:bcarlson@carlsonlyrich.com).

Belbaum contributed re-

# **EXHIBIT B**



**GANFER & SHORE, LLP**

360 LEXINGTON AVENUE

NEW YORK, NEW YORK 10017

William A. Jaskola, Esq.  
Ext. 226  
wjaskola@ganfershore.com

TELEPHONE (212) 922-9250

TELECOPIER (212) 922-9335

July 22, 2011

**VIA FEDERAL EXPRESS**

The Honorable Eric H. Holder, Jr.  
Office of the Attorney General of the United States  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Re: Notice of proposed Class Action Settlement in *Valene Reed v. Continental Guest Services Corporation*, United States District Court for the Southern District of New York,  
Docket No. 10-cv-5642(DLC)

Dear Attorney General Holder:

In accordance with Section 1715 of the Class Action Fairness Act of 2005, enclosed please find true and correct copies of: (i) the Complaint filed in the referenced matter; (ii) the Settlement Agreement between the parties; (iii) the approved Full and Summary Notices to potential class members of the class settlement, including the right to request exclusion from the class; (iv) the Orders of April 4, 2011 and July 15, 2011 of Hon. Denise Cote relating to this matter and granting preliminary approval of proposed class action settlement, directing the dissemination of notice and scheduling a final settlement hearing for November 14, 2011 at 10:00 a.m.

Pursuant to Section 1715(7)(A), it is not feasible to list the names of prospective class members who reside in any particular State or foreign country, or to estimate the proportionate share of the claims of such members. Pursuant to Section 1715(7)(B), the number of potential class members is estimated to be approximately 75,000 different consumers, however, given the type and nature of the transactions, it is not feasible to estimate the number of potential class members residing in any particular State or foreign country, or to estimate the proportionate share of the claims of such potential members to the entire settlement.

Please contact the undersigned should you have any questions or concerns.

Very truly yours,



William A. Jaskola

WAJ:ac  
Enclosures

cc: R. Bruce Carlson, Esq. (w/o encs.)

**GANFER & SHORE, LLP**

William A. Jaskola, Esq.  
Ext. 226  
wjaskola@ganfershore.com

360 LEXINGTON AVENUE  
NEW YORK, NEW YORK 10017  
TELEPHONE (212) 922-9250  
TELECOPIER (212) 922-9335

July 22, 2011

**VIA FEDERAL EXPRESS**

The Honorable Eric T. Schneiderman  
Office of the Attorney General  
120 Broadway, 23rd Floor  
New York, New York 10271

Re: Notice of proposed Class Action Settlement in *Valene Reed v. Continental Guest Services Corporation*, United States District Court for the Southern District of New York,  
Docket No. 10-cv-5642(DLC)

Dear Attorney General Schneiderman:

In accordance with Section 1715 of the Class Action Fairness Act of 2005, enclosed please find true and correct copies of: (i) the Complaint filed in the referenced matter; (ii) the Settlement Agreement between the parties; (iii) the approved Full and Summary Notices to potential class members of the class settlement, including the right to request exclusion from the class; (iv) the Orders of April 4, 2011 and July 15, 2011 of Hon. Denise Cote relating to this matter and granting preliminary approval of proposed class action settlement, directing the dissemination of notice and scheduling a final settlement hearing for November 14, 2011 at 10:00 a.m.

Pursuant to Section 1715(7)(A), it is not feasible to list the names of prospective class members who reside in New York State or any particular State or foreign country, or to estimate the proportionate share of the claims of such members. Pursuant to Section 1715(7)(B), the number of potential class members is estimated to be approximately 75,000 different consumers, however, given the type and nature of the transactions, it is not feasible to estimate the number of potential class members residing in New York State or any particular State or foreign country, or to estimate the proportionate share of the claims of such potential members to the entire settlement.

Please contact the undersigned should you have any questions or concerns.

Very truly yours,



William A. Jaskola

WAJ:ac  
Enclosures

cc: R. Bruce Carlson, Esq. (w/ encls.)



**GANFER & SHORE, LLP**

William A. Jaskola, Esq.  
Ext. 226  
wjaskola@ganfershore.com

360 LEXINGTON AVENUE  
NEW YORK, NEW YORK 10017  
TELEPHONE (212) 922-9250  
TELECOPIER (212) 922-9335  
July 22, 2011

**VIA FEDERAL EXPRESS**

The Honorable Linda L. Kelly  
Office of the Attorney General  
Strawberry Square, 16<sup>th</sup> Floor  
Harrisburg, Pennsylvania 17120

Re: Notice of proposed Class Action Settlement in *Valene Reed v. Continental Guest Services Corporation*, United States District Court for the Southern District of New York,  
Docket No. 10-cv-5642(DLC)

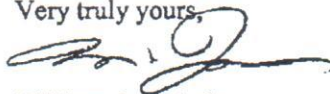
Dear Attorney General Kelly:

In accordance with Section 1715 of the Class Action Fairness Act of 2005, enclosed please find true and correct copies of: (i) the Complaint filed in the referenced matter; (ii) the Settlement Agreement between the parties; (iii) the approved Full and Summary Notices to potential class members of the class settlement, including the right to request exclusion from the class; (iv) the Orders of April 4, 2011 and July 15, 2011 of Hon. Denise Cote relating to this matter and granting preliminary approval of proposed class action settlement, directing the dissemination of notice and scheduling a final settlement hearing for November 14, 2011 at 10:00 a.m.

Pursuant to Section 1715(7)(A), apart from named plaintiff Valene Reed, it is not feasible to list the names of prospective class members who reside in Pennsylvania or any particular State or foreign country, or to estimate the proportionate share of the claims of such members. Pursuant to Section 1715(7)(B), the number of potential class members is estimated to be approximately 75,000 different consumers, however, given the type and nature of the transactions, it is not feasible to estimate the number of potential class members residing in Pennsylvania or any particular State or foreign country, or to estimate the proportionate share of the claims of such potential members to the entire settlement.

Please contact the undersigned should you have any questions or concerns.

Very truly yours,



William A. Jaskola

WAJ:ac  
Enclosures

cc: R. Bruce Carlson, Esq. (w/o encs.)